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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,780	11/13/2001	Farhad Farassat	MEISS63.001AUS	4733

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EXAMINER

VU, PHUONG T

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/008,780

Applicant(s)

FARASSAT, FARHAD

Examiner

Phuong T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-11,14,17,18,21,23,24 and 26-28 is/are pending in the application.
- 4a) Of the above claim(s) 4,5,12,13,15,16,20,22 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-11,14,17,18,21,23,24 and 26-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Species I in Paper No. 9 is acknowledged. However, in his response, Applicant did not specify the claims drawn to this particular species. After review, it has been determined by the Examiner that claims are 1, 2, 6-10, 21, 23, 27 generic. To expedite prosecution, the Examiner has determined that claims 1-3, 6-11, 14, 17-18, 21, 23-24, 26-28 are drawn to the elected species. This rejection addresses these claims. Claims 4-5, 12-13, 15-16, 20, 22, 25 are withdrawn from consideration as being drawn to the nonelected species.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3, 6-11, 14, 17-18, 21, 23-24, 26-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The scope of claim 1 is indefinite. In the preamble, it Applicant only functionally recites the integrated circuit, however, later on states that the integrated circuit contact elements are electrically connected to the upper surface of the housing floor. This language is conflicting and unclear. Is it Applicant's intent to positively recite the integrated circuit? Similarly, the scope of claim 21 is in question. Furthermore, the examiner objects to the use of the word "materials" in the last line of claim 1. To avoid any misinterpretation of the claim

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limitations, Applicant should specify which materials are being referred to in this instance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 6, 10-11, 14, 17, 21, 23-24, 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Horvath (US 4,415,025). Regarding claim 1, the reference discloses a miniaturized circuit housing to encapsulate and provide external contacts for at least one integrated circuit 12 having contact elements 22 on a lower surface, the circuit housing comprising a housing floor 10 comprising a lower surface which includes housing contact elements 14 for making external contact and an upper surface which is electrically connected to the circuit contact elements on the lower surface of the circuit and a housing lid 16 opposite the housing floor so as to press the circuit with the circuit contact elements resiliently against the upper surface of the housing floor with no permanent connection between the materials thereof.

Regarding claim 2, the housing lid on its lower surface, which faces the circuit comprises at least one spring element 24 that presses the circuit against the housing floor.

Regarding claim 3, the at least one spring element is fixedly attached to the lower surface of the housing lid.

Regarding claim 6, a wall that substantially rigidly connects the floor and the lid of the housing to one another at their circumference so as to define an interior of the housing tightly seals off the interior of the housing. The wall extends from the base of the lid.

Regarding claim 10, the housing has a flat four-cornered shape, with a substantially level and rectangular housing floor and housing lid.

Regarding claim 11, the lid of the housing is rigidly constructed and joined to the wall.

Regarding claim 14, the housing contact elements are at least partially spherical.

Regarding claim 17, the upper surface of the housing floor is provided with inner housing contact surfaces configured as flat elevations so as to make internal contact with the circuit contact elements.

Regarding claim 21, the reference discloses an electronic circuit housing for an integrated circuit chip 12 positioned therein, the chip having chip contacts 22, the housing comprising a housing floor 10 comprising a plurality of outer contacts 14 disposed on a lower surface of the housing floor so as to provide external contact and in electrical contact with a corresponding plurality of inner contacts arranged to correspond to the chip contacts and a housing lid 16 adapted to be attached to the housing floor so as to define a housing wherein the attachment of the housing lid to the housing floor induces an elastic pressure on the chip so as to create a compression contact between the chip contacts and the inner contacts.

Regarding claim 23, at least one elastic element 24 is interposed between the housing lid and the chip.

Regarding claim 24, the at least one elastic element comprises a spring.

Regarding claim 26, the at least one elastic element is fixedly attached to the housing lid.

Regarding claim 27, the at least one elastic element is held in compression between the housing lid and the chip by the attachment of the housing lid to the housing floor.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7-9, 18, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvath (US 4,415,025). Regarding claim 7, the wall is formed as part of the housing lid and wherein the housing is sealed via a butt joint to the respective housing lid. The reference does not teach that the housing is sealed in a gas-tight manner, however, it would have been obvious those skilled in the art at the time the invention was made that the above mentioned housing may be hermetically sealed so as to protect the integrated circuit contained in housing from oxygen, humidity and other contaminants.

Regarding claim 8, gas-tight seals formed by external plastic encapsulation of a butt joint are expedient in the art. The examiner takes Official Notice.

Regarding claim 9, hermetically sealed housings are typically filled with inert gas.

Regarding claim 18, the reference is silent about the composition of the inner housing contact surfaces and how they are formed. Regarding claim 28, the reference is silent about the composition of the outer contacts or the chip contacts. However, it would have been obvious to those skilled in the art at the time the invention was made that these contact surfaces may be formed of gold as this element provides excellent electrical conductivity and is never corrosive. Regarding the manufacturing process with respect to the contact surfaces are formed, in article claims, it has been settled that the presence of process limitations in product claims, which product does not otherwise distinguish over the prior art, cannot impart patentability to that product. (In re Johnson, 157 USPQ 670, 1968). No patentable weight is given to intermediate steps or intended steps in the process of manufacturing the final article. Examination of the final structure of the article is relied upon for the determination of patentability.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Vu whose telephone number is (703) 308-0303. The examiner can normally be reached on Mon. & Tues., 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (703) 308-3121. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-4341.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

PTVu
May 31, 2003

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.